

Feb 04, 2019

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

SEAN F. MCVOY, CLERK

RYAN DALEY, an individual, on  
behalf of himself and all others  
similarly situated,

Plaintiff,

v.

AVENUE5 RESIDENTIAL LLC, a  
Delaware corporation,

Defendant.

No. 2:18-CV-00384-SMJ

**ORDER DISMISSING CASE**

On February 1, 2019, Plaintiff Ryan Daley filed a notice of dismissal, ECF No. 4. Defendant Avenue5 Residential LLC has served neither an answer nor a summary judgment motion. Consistent with Plaintiff's notice of dismissal and Federal Rule of Civil Procedure 41(a)(1)(A)(i), **IT IS HEREBY ORDERED:**

1. Plaintiff's Notice of Voluntary Dismissal – Case, **ECF No. 4**, is **ACKNOWLEDGED**.
2. All claims are **DISMISSED WITHOUT PREJUDICE**, with all parties to bear their own costs and attorneys' fees.
3. All pending motions are **DENIED AS MOOT**.
4. All hearings and other deadlines are **STRICKEN**.

5. The Clerk's Office is directed to **CLOSE** this file.

**IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and provide copies to all counsel.

**DATED** this 4th day of February 2019.

Salvador Mendoza Jr.  
SALVADOR MENDOZA, JR.  
United States District Judge